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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,006	08/20/2003	Haruyuki Kunisada	1081.1182	4865

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EXAMINER
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VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/644,006

Applicant(s)

KUNISADA, HARUYUKI

Examiner

Kieu D. Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 16 is rejected under 35 U.S.C. 101 because the claim recites "A program" per se and does not positively recite that the program is stored on a medium that can be read by a machine. As such, the claim is software per se and directed solely to non-functional descriptive material.

Claims 8-14 are rejected under 35 U.S.C. 101 because the claims are drafted to include both "method" and "apparatus". As such, the claims are directed to more than one statutory class of invention. See 2173.05(p) [R-5].

Claim 15 is rejected under 35 U.S.C. 101 because the claim is drafted to include both "medium" and "apparatus". As such, the claim is directed to more than one statutory class of invention. See 2173.05(p) [R-5].

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 1-7 and 15-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the claim recites the limitation "the specific window" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim.

Dependent claims 2-7 incorporate the deficiency of claim 1 and therefore are rejected on the same reason.

Regarding independent claim 15, the word "should" in line 5 of the claim renders the claim vague and indefinite because the scope of the claim is uncertain.

Regarding independent claim 16, the word "should" in line 5 of the claim renders the claim vague and indefinite because the scope of the claim is uncertain.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hitoshi (Japan Application Publication 2000-035847, date of publication Feb, 02, 2000).

Regarding claims 1 and 8, Hitoshi teaches an information processing apparatus (the apparatus in Drawing 1, see [0019] of Detailed Description) for processing information and performing a plural window displays (windows 21a, 21b, 21c) on a display device (display unit 21) (Drawing 8, see [0031] [0032] of Detailed Description),

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comprising: a screen memory for the display device (Drawing 3, see [0022] of Detailed Description); and a processing unit (central processing unit 1 of Drawing 1, see [0021] of Detailed Description) for outputting image data of the specific window of the screen memory to an external monitor (Drawings 6-8, see [0027], [0028], [0031] of Detailed Description).

Regarding claims 2 and 9, Hitoshi teaches the processing unit displays a selection menu of the external monitor output in the window of the display device (buttons 214 in Drawing 8, [0033] of Detailed Description).

Regarding claims 3 and 10, Hitoshi teaches said processing unit outputs the image data of an effective window to the external monitor among plural windows of the display device (Drawing 8, [0033] of Detailed Description).

Regarding claims 4 and 11, Hitoshi teaches said processing unit displays a plural kind of selection menus of the external monitor output in the window of the display device (buttons 214, 215, 216 in Drawing 8, [0033] of Detailed Description).

Regarding claims 5 and 12, Hitoshi teaches wherein said processing unit starts up a display application program for the output of said external monitor according to starting of an operating system ([0019] and [0021] of Drawing 8, [0033] of Detailed Description).

Regarding claims 6 and 13, Hitoshi teaches said processing unit displays each window according to plural tasks being started up on said display device ([0025] and [0028] of Detailed Description).

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Regarding claims 7 and 14, Hitoshi teaches said processing unit executes an application for reproducing an image (reproducing window images, Drawing 8, [0033] of Detailed Description).

Regarding claims 15-16, Hitoshi teaches a storage medium stored a program of an information processing apparatus for processing information (Drawing 1, see [0019] of Detailed Description) and performing plural window displays on a display device (windows 21a, 21b, 21c) on a display device (display unit 21) (Drawing 8, see [0031] [0032] of Detailed Description), wherein said program make said information processing apparatus to search an window (buttons 214, 215, 216 in Drawing 8, [0033] of Detailed Description) which should be outputted among plural windows displayed on the display device ([0022] of Detailed Description) and to output image data of the searched window to an external monitor (Drawings 6-8, see [0027], [0028], [0031] of Detailed Description).

8. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach displaying plurality of windows on a monitor which relates to the claim invention.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

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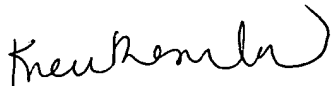
The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kieu D. Vu  
Primary Examiner